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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,410	12/03/2003	Gregory Joseph Badros	24207-10066	5579

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EXAMINER

LEWIS, CHERYL RENE A

ART UNIT PAPER NUMBER

2167

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/726,410

Applicant(s)

BADROS ET AL.

Examiner

Cheryl Lewis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11, 17-21, 29, 31-40, 45, 47, 49 and 50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 17-21, 29, 31-40, 45, 47, 49, and 50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office action is in response to the applicant's communication received on September 14, 2006.
2. Claims 1-11, 17-21, 29, 31-40, 45, 47, 49, and 50 are presented for examination.
3. The applicants have amended claims 1, 7, 9-11, 18-20, 29, 32, 35-40, 45, and 47. Also, the applicants have added new claims 49 and 50.
4. Applicants' arguments with respect to claims 1-11, 17-21, 29, 31-40, 45, 47, 49, and 50 have been considered but are deemed to be moot in view of the new grounds of rejection.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-11, 17-21, 37-40, 49, and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Pitkow et al. (Patent No. 7,031,961 B2 filed December 4, 2000, hereinafter Pitkow).

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The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

7. Regarding Claims 1 and 37, Pitkow teaches a system and method for searching and recommending objects from a categorically organized information repository.

The method and associated system for searching and recommending objects from a categorically organized information repository as taught or suggested by Pitkow includes:

receiving a search query from a user (col. 8, lines 37-41, 'A search text-entry box 242 is also provided in the data entry area 218.'; col. 16, line 30-34, '...the user begins by formulating a keyword query...'); receiving a request from the user to personalize a search result (col. 6, lines 34 and 35, '...a set of bookmarks for each user 110-116; each user may maintain private bookmarks...', col. 8, lines 10-14 and 23-25, col. 8, lines 37-41, 'A search text-entry box 242 is also provided in the data entry area 218.');

responsive to the search query and the request to personalize the search result, generating a personalized search request (col. 6, lines 34 and 35, col. 8, lines 23-41) by searching a personalized search object (col. 8, lines 37-41); responsive to the search query, generating a general search result by searching a general search object (col. 8, lines 14-16, 'By selecting a "Publish" button 238 in the data entry area 218, the user 110

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can make those bookmarks available to all users', col. 8, lines 41-43, 'By selecting a "Search Public Bookmarks" option 244, the search can be extended to all user' public bookmarks...') providing the personalized search result and the general search result (col. 8, lines 65-67, col. 9, lines 1-13); and visually distinguishing the personalized search result from the general search result (figure 2, elements 210, 242, and 244, col. 8, lines 10-16 and 37-43, figure 4, elements 410, 412, 414, and 416, col. 8, lines 65-67, col. 9, lines 1-13).

8. Regarding Claim 2, Pitkow teaches the personalized search object comprises an article associated with a bookmark (col. 9, lines 1-13).

9. Regarding Claim 3, Pitkow teaches an index associated with the bookmark is stored on a server remote from a client with which the bookmark is associated (col. 5, lines 29-31).

10. Regarding Claim 4, Pitkow teaches the bookmark is stored on a client with which the bookmark is associated wherein searching of the personalized search object is performed by a client-side agent (col. 6, lines 41-52, col. 12, lines 21-25).

11. Regarding Claim 5, Pitkow teaches the general search object comprises an index of articles (col. 9, lines 1-13).

12. Regarding Claim 6, Pitkow teaches the index comprises an index of articles associated with a global computer network (col. 6, lines 11-17).

13. Regarding Claim 7, Pitkow teaches visually distinguishing the personalized search result and the general search result comprises providing the personalized

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search result in a first list and the general search result in a second list (col. 26, lines 47-53).

14. Regarding Claim 8, Pitkow teaches the general search object comprises global indices (col. 20, lines 48-56).

15. Regarding Claim 9, the limitation of this claim has been noted in the rejection of claims 1 and 37 presented above. It is therefore rejected as set forth above.

16. Regarding Claim 10, Pitkow teaches the personalized search object comprises an annotation (figure 2).

17. Regarding Claim 11, Pitkow teaches the personalized search object comprises a rating (col. 15, lines 1-6 and 63-67).

18. Regarding Claims 17 and 38, Pitkow teaches providing an advertisement based on the search result (col. 20, lines 20-31).

19. Regarding Claim 18, Pitkow teaches identifying a user cluster based at least in part on the personalized search object and providing to the user a suggestion of another user with which to network based on the user cluster (col. 20, lines 8-19).

20. Regarding Claim 39, the limitations of this claim have been noted in the rejection of claims 1 and 37 presented above. It is therefore rejected as set forth above.

21. Regarding Claims 19 and 40, Pitkow teaches the personalized search object based at least on implicit measure of the user's interest (col. 20, lines 8-19).

22. Regarding Claim 20, Pitkow teaches the user's interest comprises a history of user accesses (col. 24, lines 19-31).

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23. Regarding Claim 21, Pitkow teaches the history of user accesses comprises at least one of (col. 24, lines 19-31).

24. Regarding Claim 49, Pitkow teaches a user profile selected from a plurality of user profiles and personalized search object for searching is selected responsive to the user profile (col. 20, lines 4-34).

25. Regarding Claim 50, Pitkow teaches to depersonalize a search result and the general search result without the personalize search result (col. 8, lines 14-16).

26. Claims 29, 31-36, 45, and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Kyne et al., (Pat. No. 6,615,237 B1 filed February 4, 2000, hereinafter Kyne).

27. Regarding Claims 29 and 45, Kyne teaches automatic searching for data in a network.

The method and associated system for automatic searching for data in a network as taught or suggested by Kyne includes:

receiving from a user association data associating a text string generated by the user with a uniform resource locator (URL) (col. 3, lines 58-67, col. 4, lines 1-5); storing the association data in a memory accessible to a browser of the user (col. 3, lines 50-57, col. 4, lines 6-20); receiving in the browser a user input comprising the text string (col. 6, lines 10-45); using the association data and the text string determine in the browser the URL (col. 6, lines 29-63); and retrieving by the browser a page associated with the URL (col. 6, lines 29-63).

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28. Regarding Claim 31, Kyne teaches the text string comprises a search query (col. 7, lines 60-67, col. 8, lines 1-19).

29. Regarding Claims 32 and 47, Kyne teaches receiving the user input from an address input box (col. 7, lines 60-67, col. 8, lines 1-19).

30. Regarding Claim 33, Kyne teaches the text string comprises a URL-format text string (col. 7, lines 60-67, col. 8, lines 1-19).

31. Regarding Claim 34, Kyne teaches the text string comprises a short-hand indicator of the URL (col. 7, lines 60-67, col. 8, lines 1-19).

32. Regarding Claim 35, Kyne teaches the page associated with the URL from a computer network (col. 3, lines 31-44).

33. Regarding Claim 36, Kyne teaches the association data and the text string to determine in the browser the URL is accomplished without searching a general search object (col. 7, lines 60-67, col. 8, lines 1-19).

34. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of



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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**NAME OF CONTACT**

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

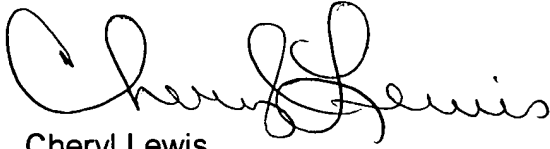
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Cheryl Lewis". The signature is fluid and cursive, with the first name "Cheryl" and last name "Lewis" clearly distinguishable.

Cheryl Lewis  
Patent Examiner  
December 11, 2006